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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. Patent Application of

**YOSHIBA *et al.***

**Application Number: 10/026,767**

**Filed: December 27, 2001**

**For: TRANSGENIC RICE PLANT AND ITS FAMILY WITH  
ENVIRONMENTAL STRESS RESISTANT BY PROLINE  
ACCUMULATION OF HIGH LEVEL AND ITS  
PRODUCTION**

**ATTORNEY DOCKET NO. NITT.0051**

**Honorable Assistant Commissioner  
for Patents  
Washington, D.C. 20231**

**LETTER**

Sir:

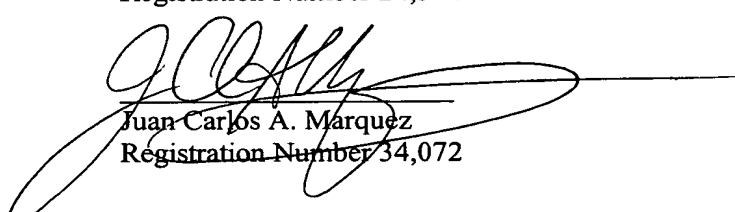
The below-identified communications are submitted in the above-captioned application or proceeding:

(x ) Information Disclosure Statement w/refs

- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication, including fees under 37 C.F.R. § 1.16 and 1.17 or credit any overpayment to **Deposit Account Number 08-1480**. A duplicate copy of this sheet is attached.

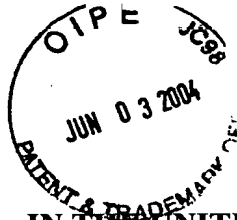
Respectfully submitted,

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**June 3, 2004**



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. Patent Application of )  
YOSHIBA *et al.* ) Art Unit: 1638  
Application Number: 10/026,767 ) Examiner: Ashwin D. Mehta  
Filed: December 27, 2001 )  
For: TRANSGENIC RICE PLANT AND ITS FAMILY WITH )  
ENVIRONMENTAL STRESS RESISTANT BY PROLINE )  
ACCUMULATION OF HIGH LEVEL AND ITS )  
PRODUCTION )  
ATTORNEY DOCKET NO. NITT.0051 )  
Honorable Assistant Commissioner  
for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97, this Information Disclosure Statement is submitted in the above-identified patent application. A listing of documents to be published on the face of any patent granted from this application is submitted herewith on Form PTO-1449. Any other documents or information submitted for consideration by the Examiner are listed in this paper. A copy of each U.S. and foreign patent, or each publication or portion thereof listed or herein identified, is submitted herewith.

**CERTIFICATION**

This Information Disclosure Statement is submitted after three months from the filing date of the above-identified U.S. patent application and after the mailing date of the first Office Action on the merits of the above-identified application, but prior to issuance of the earlier of any Final Action or Notice of Allowance sent in such application.

The Examiner is requested to acknowledge consideration of the information provided in this paper in accordance with prescribed procedures.

Please charge any additional fees or credit any overpayments in connection with this paper to Deposit Account No. 08-1480.

Respectfully submitted,

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JUN 03 2004  
TRADEMARK OFFICE

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| Form PTO 1449<br><br>U.S. Department of Commerce Patent<br>and Trademark Office<br><br>Information Disclosure Statement by Applicant | ATTY. DOCKET NUMBER | SERIAL NUMBER |
|                                                                                                                                      | NITT.0051           | 10/026,767    |
|                                                                                                                                      | APPLICANT           |               |
|                                                                                                                                      | HIRABAYASHI et al   |               |
|                                                                                                                                      | FILING DATE         | GROUP         |
|                                                                                                                                      | December 21, 2001   |               |

U.S. Patent Documents

| Examiner<br>Initial | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-<br>CLASS | FILING DATE |
|---------------------|-----------------|------|------|-------|---------------|-------------|
|                     |                 |      |      |       |               |             |
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Foreign Patent Documents

| Examiner<br>Initial | DOCUMENT NUMBER | FILING DATE | COUNTRY | CLASS | SUB-<br>CLASS | TRANSLATION |    |
|---------------------|-----------------|-------------|---------|-------|---------------|-------------|----|
|                     |                 |             |         |       |               | YES         | No |
|                     | 10-057069       | 08/22/1996  | Japan   |       |               | Abstract    |    |
|                     |                 |             |         |       |               |             |    |
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|                     |                 |             |         |       |               |             |    |

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)

|                                                                                                                                                                                                                                                      |  |                                                                                                                                                                                                                                                           |
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|                                                                                                                                                                                                                                                      |  | Kishor, P.B. Kavi, et al., "Overexpression of $\Delta^1$ -Pyrroline-5-Carboxylate Synthetase Increases Proline Production and Confers Osmotolerance in Transgenic Plants <sup>1</sup> ", Plant Physiol., Vol. 108, No. 4, 1995, PP 1387-01394             |
|                                                                                                                                                                                                                                                      |  | Yoshiba, Yoshu, et al., "Correlation between the induction of a gene for $\Delta^1$ -pyrroline-5-carboxylate synthetase and the accumulation of proline in Arabidopsis thaliana under osmotic stress", The Plant Journal, Vol. 7, No. 5, 1995, PP 751-760 |
|                                                                                                                                                                                                                                                      |  | Aoki, Chisako, et al., "Increase of proline content in transgenic rice plants with a proline dehydrogenase antisense cDNA", Nippon Joshi Daigaku Kiyo, Vol. 7, No. 7, 1999, PP 45-53, in Japanese with English translation of the abstract.               |
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| EXAMINER                                                                                                                                                                                                                                             |  | DATE CONSIDERED                                                                                                                                                                                                                                           |
| <i>Examiner: Initial if citation is considered, whether or not citation is in conformance with MPEP 609; draw a line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant</i> |  |                                                                                                                                                                                                                                                           |